

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 16-20 and 23 are pending; Claims 1-15, 21, and 22 are canceled herewith; Claims 2 and 9 were previously canceled; Claims 16-20 are amended; and Claim 23 is newly added herewith. As newly added Claim 23 combines the subject matter of Claims 6 and 15, with the addition of a conical projection, it is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1, 3-8, and 10-22 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1, 4-8, and 11-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Aichinger (German 0096102) in view of Harris (U.S. Pat. No. 2,944,273) and Van Sant (U.S. Pat. No. 1,595,324); Claims 3 and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Aichinger, Harris, and Van Sant, further in view of Gueret (U.S. Pat. No. 4,463,485); Claims 15-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Aichinger in view of Harris and further in view of Homma et al. (U.S. Pat. No. 4,381,259, hereafter Homma) and Van Sant.

As Claims 1-15, 21, and 22 are canceled by this amendment, it is respectfully submitted that the outstanding rejections of these claims have been obviated by the present amendment. Claims 16-20 have been amended to depend from Claim 23, thereby obviating the outstanding rejections of Claims 16-20.

Claim 23 exhibits several advantageous effects. Specifically, a combination of (1) a detergent having a specific composition, in particular, a cationic polymer and (2) a conical projection having a round tip prevents hairs from entangling with the projections of the brush when massaging with the massage brush. Thereby, it is possible to secure a smooth combing

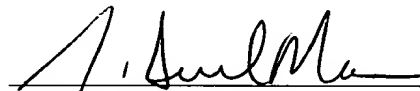
through the hair, and it is possible to easily untangle the hairs even if the hairs become entangled with the projections.

As none of the cited references disclose or suggest a combination of a flat side surface and an imaginary concave plane formed by the apices of the projections extending from the flat side surface, as recited in Claim 23, it is respectfully submitted that Claim 23 patentably distinguishes over the cited references.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



J. Derek Mason, Ph.D.

Attorney of Record

Registration No. 35,270

Katherine D. Pauley

Registration No. 50,607

Customer No.  
22850

Tel: (703) 413-3000

Fax: (703) 413-2220

JDM:KDP:la:dmr